

**AN EMERGENCY ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK
AMENDING THE FRANCHISE AGREEMENT WITH
COMCAST OF MARYLAND, INC.**

WHEREAS, on April 24, 1999, the City of College Park, herein referred to as “City” granted a cable television franchise (the “Franchise”) to Jones Cable, which was thereafter transferred to Comcast of Maryland; and

WHEREAS, the Franchise is now held by Comcast of Maryland, Inc. (“Comcast”); and is scheduled to expire on April 23, 2014; and

WHEREAS, the City and Comcast are engaged in discussions concerning the renewal of the Franchise, and those discussions are expected to take some time to complete; and

WHEREAS, the City wishes to extend the term of the Franchise to allow time for the parties to complete negotiations; and

WHEREAS, Comcast has provided its consent to the proposed extension of the Franchise, in the form of the attached letter, which is incorporated herein by reference as Exhibit A; and

WHEREAS, the City and the Comcast both desire to reserve their respective rights under state and federal law, including, without limitation, 47 U.S.C. § 546; and

WHEREAS, the Mayor and Council have determined that it is necessary for the public health, safety and welfare that this ordinance be adopted effective immediately to allow it to become effective before the expiration of the current cable television franchise.

Section 1. NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park that the said Franchise Agreement held by Comcast of Maryland, Inc., successor in interest to Jones Communications of Maryland, Inc., is hereby extended until a new cable franchise becomes effective, or until the franchise is either renewed, terminated or final action is taken not to renew the franchise in accordance with the terms of the franchise, the Federal Cable Act and other applicable law, whichever occurs first, as is more particularly stated in the letter from Comcast of Maryland, Inc. dated April 2, 2014, which is attached as Exhibit A, and incorporated herein by

reference. During this extension, the current terms and conditions of the franchise shall remain in full force and effect. This extension shall be effective as to Comcast of Maryland, Inc., immediately upon receipt by Comcast.

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that a public emergency affecting the sound operation of the City exists. Because an emergency exists, this Ordinance is hereby declared to be an Emergency Ordinance by the affirmative vote of at least six (6) members of the Council pursuant to the authority contained in Section C8-2 of the Charter of the City of College Park and, therefore, pursuant to Section C8-2 of the Charter of the City of College Park, this Ordinance may be adopted at the meeting at which it is introduced without prior newspaper publication or public hearing thereon and shall take effect immediately upon its adoption.

As soon as practicable after adoption, the City Clerk shall have a fair summary of this Ordinance and a notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. The Ordinance shall become effective immediately upon its adoption, provided that a fair summary thereof is published at least once as soon as practicable after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of **April**, 2014.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of **April**, 2014.

EFFECTIVE the _____ day of **April**, 2014.

ATTEST:

CITY OF COLLEGE PARK

By: _____
Janeen S. Miller, CMC, City Clerk

By: _____
Andrew M. Fellows, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney